

Debtor 1 Henry L. Smith, Jr.

Debtor 2 \_\_\_\_\_  
(Spouse, if filing)

United States Bankruptcy Court for the: Eastern (Richmond) District of Virginia  
(State)

Case number 15-31150-KLP

## Form 4100R

## Response to Notice of Final Cure Payment

10/15

According to Bankruptcy Rule 3002.1(g), the creditor responds to the trustee's notice of final cure payment.

## Part 1: Mortgage Information

**Name of creditor:** U.S. BANK TRUST NATIONAL ASSOCIATION, AS TRUSTEE OF THE SCIG  
SERIES III TRUST

**Court claim no.** (if known): 9

**Last 4 digits** of any number you use to identify the debtor's account: 0654 \_\_\_\_\_

**Property address:** 2 Emerson Street  
Number Street

Richmond, Virginia 23223  
City State ZIP Code

## Part 2: Prepetition Default Payments

Check one:

- ☒ Creditor agrees that the debtor(s) have paid in full the amount required to cure the prepetition default on the creditor's claim.
- ☐ Creditor disagrees that the debtor(s) have paid in full the amount required to cure the prepetition default on the creditor's claim. Creditor asserts that the total prepetition amount remaining unpaid as of the date of this response is: \$ \_\_\_\_\_

## Part 3: Postpetition Mortgage Payment

Check one:

- ☐ Creditor states that the debtor(s) are current with all postpetition payments consistent with § 1322(b)(5) of the Bankruptcy Code, including all fees, charges, expenses, escrow, and costs.

The next postpetition payment from the debtor(s) is due on: \_\_\_\_\_  
MM / DD / YYYY

- ☒ Creditor states that the debtor(s) are not current on all postpetition payments consistent with § 1322(b)(5) of the Bankruptcy Code, including all fees, charges, expenses, escrow, and costs.

Creditor asserts that the total amount remaining unpaid as of the date of this response is:

- a. Total postpetition ongoing payments due: (a) \$ 2,740.96
- b. Total fees, charges, expenses, escrow, and costs outstanding: + (b) \$ 0.00
- c. **Total.** Add lines a and b. \*Total amount is less a suspense balance of \$56.72 (c) \$ 2,684.24

Creditor asserts that the debtor(s) are contractually obligated for the postpetition payment(s) that first became due on: 2 / 26 / 2020  
MM / DD / YYYY

Debtor 1 Henry L. Smith, Jr.  
First Name Middle Name Last Name

Case number (if known) 15-31150-KLP

**Part 4:** Itemized Payment History

If the creditor disagrees in Part 2 that the prepetition arrearage has been paid in full or states in Part 3 that the debtor(s) are not current with all postpetition payments, including all fees, charges, expenses, escrow, and costs, the creditor must attach an itemized payment history disclosing the following amounts from the date of the bankruptcy filing through the date of this response:

- ☐ all payments received;
- ☐ all fees, costs, escrow, and expenses assessed to the mortgage; and
- ☐ all amounts the creditor contends remain unpaid.

**Part 5:** Sign Here

**The person completing this response must sign it. The response must be filed as a supplement to the creditor's proof of claim.**

Check the appropriate box::

- ☐ I am the creditor.
- ☒ I am the creditor's authorized agent.

**I declare under penalty of perjury that the information provided in this response is true and correct to the best of my knowledge, information, and reasonable belief.**

Sign and print your name and your title, if any, and state your address and telephone number if different from the notice address listed on the proof of claim to which this response applies.

**X** /s/ Abby K. Moynihan, Esq.  
Signature

04/01/2020  
Date   /  /  

Print Abby K. Moynihan, Esq.  
First Name Middle Name Last Name

Title Attorney for creditor

Company McCabe, Weisberg & Conway, LLC

**If different from the notice address listed on the proof of claim to which this response applies:**

Address 312 Marshall Ave, Suite 800  
Number Street

Laurel, MD 20707  
City State ZIP Code

Contact phone (301) 490 - 3361

Email bankruptcyva@mwc-law.com

**CERTIFICATE OF SERVICE**

I hereby certify that on the 1st day of April, 2020 I reviewed the Court's CM/ECF system and it reports that an electronic copy of the foregoing pleading will be served electronically by the Court's CM/ECF system on the following:

**Kimberly Alice Chandler**

Chandler Law Firm  
P.O. Box 17586  
Richmond, VA 23226

**Suzanne E. Wade**

7202 Glen Forest Drive, Ste. 202  
Richmond, VA 23226

I hereby further certify that on the 1st day of April, 2020, a copy of the foregoing pleading was also mailed first class mail, postage prepaid to:

**Henry L. Smith, Jr.**

2 Emerson Street  
Richmond, VA 23223  
(Via U.S Mail)

/s/ Abby K. Moynihan, Esq.

Abby K. Moynihan, Esq.